

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

DOCKET NO. 2004-121

May 4, 2004

NORTHERN UTILITIES, INC.,
Proposed Cost of Gas Factor
for May 2004 – October 2004

SUPPLEMENTAL ORDER

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

On April 20, 2004, the Commission issued an Order approving a change in Northern Utilities, Inc.'s cost of gas rate for effect on May 1, 2004. In addition to the normal adjustment to reflect the changes from the Winter Period to the Summer Period, the Commission required that Northern adjust its cost of gas rate to reflect the transfer of \$685,213 from the 2003 Summer Period to the 2004-2005 Winter Period to correct a prior error and also to reflect changes in the NYMEX futures rates for the cost of gas commodity. The Commission also approved the Environmental Recovery Cost rate (ERC) as filed in Northern's February 15, 2004 initial filing but did not address the possibility of additional updates in the rate due to the differences in estimated versus actual recoveries during the Winter 2003-2004 period under this rate.

On April 28, 2004, Northern Utilities, Inc. filed updated rate schedules for both the CGA and ERC. The filing consists of the pages and revisions as noted in the following listing.

RATE SCHEDULES

<u>PAGE</u>	<u>REVISION</u>	<u>PAGE</u>	<u>REVISION</u>
20.1	Forty-fourth	34.3	Fourteenth

Northern's April 28, 2004 filing reflects the change in the cost of gas rate as directed by the Commission's April 20, 2004 order and additionally, a decrease in the ERC rate to \$.0074 from the rate of \$.0077 as initially filed on February 15, 2004 and as approved in the April 20, 2004 Order. Northern's initial filing was based on estimated ERC rate recoveries for the period November 2003 through April 2004 in accordance with the settlement in Docket No. 1996-678. The current update reflects actual recoveries through March 2004, with an estimate for April 2004 recoveries. As a result, the ERC rate for the summer period has decreased relative to the initial estimate. Although not specifically addressed in the April 20, 2004 Order, the Commission historically has allowed Northern to make this type of adjustment in its updated filing.

Accordingly, we

O R D E R

That Northern Utilities, Inc.'s listed rate schedule revisions which were filed on April 28, 2004, in compliance with the Commission Order dated April 20, 2004, and which reflect the replacement of estimated with actual revenues for the current Environmental Remediation Cost recovery time period, are approved for effect on May 1, 2004, as permitted by 35-A M.R.S.A. § 309.

Dated at Augusta, Maine, this 4th day of May , 2004.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch

Diamond
Reishus

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.